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AUTHOR Hilenski, Ferdinand Alexi
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ABSTRACT

This historical dramatization, prepared for presentation at the 1985 Wyoming Chatauqua, contains three dialogues, set during the administration of President Thomas Jefferson and presenting the issues surrounding the drafting and ratification of the U.S. Constitution. The dialogues are designed to be presented in three segments to permit discussion after each presentation between the audience and the characters. Dialogue 1 introduces Patrick Henry, Luther Martin, and Mercy Otis Warren as the antifederalists, and they discuss their concerns about the Constitution while Alexander Hamilton, a federalist, talks in his sleep about his private fears and motives. In Dialogue 2 James Madison recalls the eve of the Constitutional Convention and his discussion with Anne Bingham about his reservations concerning the Confereration government, and he reveals his Virginia Plan to her. The final sequence, Dialogue 3, brings all the characters together, and the discussion includes the antifederalists' suggested improvements of the Constitution, the federalists praise for its flexibility, the upcoming battles for states' ratification, and the addition of the Bill of Rights. Dialogue 3 concludes with an exchange between Mrs. Warren and Mrs. Bingham about giving women and others who were left out a voice in the new republic, and with a final speech by Daniel Shays who summarizes what the Revolutionary War meant to the common man and what the constitutional government has achieved. (DJC)

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CONTESTING THE CONSTITUTION
The Constitutional Dialogues

-by-
Ferdinand Alexi Hilenski

-for-
The 1985 Wyoming Chautauqua

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HISTORY OVERVIEW

(MUSIC)

Welcome to Chautauqua 1985. Before we begin, I'd like to recognize and thank (name of local coordinator). (REMARKS)

Without (name of local coordinator)'s hard work, we would not be here in (town's name) to present our program, "Contesting the Constitution."

In two years, our country will observe the Constitution's bicentenniel. Tonight you will witness a dramatization of an exciting period in America's history: The framing of the federal Constitution at Philadelphia in the summer of 1787.

(TRAVELING MUSIC; SIT DOWN)

Tonight's staged reading of the constitutional contest is historically authentic in both content and form. While the particular scenes you will see are fictions, the characters' lines are taken from their letters, speeches, diaries, and essays. The exchanges that occur among them are as true to the conflicts over the constitution as our scholar-actors could make them.

The form of our dramatization comes from an eighteenth-century dramatic convention. The period witnessed the introduction of a new approach to argument. Denis Diderot and the French philosophes introduced realistic situations and everyday language to debate, leading to the type of dramatic dialogue you will see this evening.

Tonight's performance is not a play, but a form of debate, in which the emphasis is on a complex and shifting body of ideas.

FIRST DIALOGUE

Dramatis Personnae

Alexander Hamilton

Patrick Henry

Luther Martin

Mercy Otis Warren

History Narration

DIALOGUE I, Prologue

Our dramatization begins during the Jeffersonian administration. The antifederalist Luther Martin looks back on the Constitutional Convention and his frustrations. Marin was an embittered politician known for his excesses, in word and drink.

And now let's join Mr. Martin and his bottle.

FIRST DIALOGUE

CAST:(Narrator) Martin (LM) Hamilton (AH) Madison (JM)
Henry (PH) ~~Bingham (AB)~~ Jefferson (MW)
Warren (MW)

SETTING: Bare stage except for two period armchairs with an endtable between them. On the table is a decanter of whiskey and glasses.

PROLOGUE by Martin

(Martin enters; disheveled, drunk, seemingly good-humored except for lightning flashes of anger and bitterness. Pours himself a drink from decanter on table.)

LM: To Mrs. William Bingham! Queen of the Republican Court (Salutes) Sired by a greedy man, mated to a greedy man, of a class of greedy men who sought to manipulate the very founding of this nation to the service of their greed . . . to her and her bloody Republican Court--good riddance! (Drinks) How appropriate that the Queen of the Court should pass away just on the eve of Mr. Jefferson's taking office, our first Democratic-Republican president. Poor Mrs. Bingham, god rest her soul. . . . Would that a few more of her court had passed away with her! Not President Washington, of course. I do not inlude him with that lot. (Salutes) To the memory of General Washington! (Drinks) A great man . . . but a greater general than a president. As a general he was a decisive man of action. But as a president . . . well, to be kind, he tended to leave too

much to his advisors. He was too easily led around by his nose. Especially by his Secretary of the Treasury, the Honorable Alexander Hamilton. That self-seeking, bastard! (To the audience) I speak no ill of the man-- 'tis the literal truth! His mother knew his father in the biblical sense while still married to another man! Thus, in the Honorable Alexander Hamilton, Esq., we have a bastard for a Founding Father! And an adulterer to boot! His little trist with Mrs. Reynolds was a public scandal! What a country! What a weasel! No respect for the law, even though he is a lawyer. The Annapolis Convention, for example--you may not have heard much about that one. It was convened in 1786--the year before the Constitutional Convention--for the sole purpose, mind you--of regulating interstate commerce. At Annapolis, it was Hamilton who incited the other representatives there to--illegally--go beyond their limited charge and call for a Constitutional Convention to be held the following year in Philadelphia. And the next year in Philadelphia, Hamilton--that worm--did it again! The Constitutional Convention was only supposed to amend the Articles of Confederation, which had governed our nation from its birth--quite adequately too, not just in my judgment, but in the judgment of many other sober leaders of the republic. (Drinks) But the Convention proved just another Hamiltonian ploy, a clever trick to scrap the Articles altogether and write an entirely new Constitution that would effectively abolish the states as sovereign

entities and replace them with a monarchy! And he almost pulled it off! That's the scary part. (Drinks) As it is, this damnable federal government we have is bad enough. Mark my words, the American people won't stand for it long! I give this Constitution fifty years at most before they'll be calling another convention to change it. If you only could have been at this one, you would have seen with your own eyes the duplicity of these Founding Fathers, these now sainted men. You would have seen how their shining civic virtues proved but masks for their personal interests. Philadelphia was a snake-pit that summer. Everything done by the convention--debates, discussions, drafts--all were maintained in the strictest silence. We couldn't talk to anyone. Indeed, we delegates--I was there representing the sovereign state of Maryland--each had to swear an oath not to disclose to anyone the proceedings. Never was democracy born of more secrecy! As a result, Philadelphia was a hotbed of intrigue--a perfect setting for Hamilton and the Federalists to conduct their dirty business. And to see the delegates in deliberation! It was as if all the heroism which marked the Revolution had turned to dust. Federalists and Antifederalists alike! Virtually everyone there in Independence Hall that summer was a representative of money, property, and power. Most of them had gotten rich in the halcyon days after the War, and now sought only to protect their possessions and their privileges. Agh! Is it any wonder I drink? It is the dust of dreams that dries in my

throat. Ha! Is it any wonder that they now call me the bulldog? (Growls and lunges) Ah, Columbia! (Salutes and drinks) But Hamilton was the worst! A corrupt man; a corrupter of men; a corrupter of principle. Though it took me a while to see him for what he really was. I remember in particular one incident in June of '87. It was hot, ungodly hot. Hamilton had favored us that day with one of his rare appearances on the floor of the Convention, where he had delivered a day-long speech describing his vision of the new national government. The speech so enraged me that I had to confront him personally immediately after he left the floor.

History Narration

Dialogue I, Scene I

You may be persuaded by Mr. Martin's rhetoric, but reserve judgment until you also have met the gifted federalist Alexander Hamilton.

We will move from Martin's tirade to the antechamber of the State House in Philadelphia just after Hamilton's artful speech urging the ascension of an American monarchy.

And now let's join Mr. Martin and Mr. Hamilton.

Scene 1

(Antechamber of Independence Hall. Open on an exhausted Hamilton resting after his speech. Martin eneters.)

LM: Congratulations, sir!

AH: (Mopping his brow) I thank you.

LM: You have managed to recreate in a day what it took General Washington eight years to destroy--a bloody monarchy!

AH: I have no such intentions.

LM: No such intentions! When a man states that he "has no scruples in declaring . . . that the British Government is the best in the world," and that he doubts "whether anything short of it will do in America," then I have no scruples, sir, declaring that man a Tory and a traitor!

AH: I agree you have no scruples, sir. I am a republican and a patriot! I stood at General Washington's side at Valley Forge while you were roasting your toes before some warm Maryland fire!

LM: A President selected for life? A Senate selected for life? State Governors selected by a national government which would have an absolute veto over any legislation passed by a state legislature? This is your idea of a republic? Your own words expose you for the monarchist you are!

AH: Ah, that word again. How easy it is to hide behind that term. True, I admire certain principles of the British constitution, but I am no monarchist.

LM: I know you for what you are, sir, and I fear for my country.

AH: What you fear, sir, is that the states will lose their special privileges! Mr. Martin, the real threat we face is not an American government that is too strong but one that is too weak. Can't you see that the danger to our nation lies in its present state of decentralized and therefore impotent authority?

LM: To hear you speak, we should elect George III our president, and not George Washington! Centralized power always leads to tyranny--that is the lesson of history. Our present Confederacy spreads power to the individual states, where it cannot be used to whip the citizens.

AH: Mr. Martin, if history makes anything clear, it is that this nation cannot proceed without a strong federal government. The ancient republics of Greece were also confederacies in which the states retained their sovereignty. Each one had equal vote on a federal council, whose authority it was to propose whatever course of action it deemed necessary to maintain the common good of all. In theory this Confederacy seemed able to meet all eventualities, just as ours appears to you. But appearances are quite different from reality, Mr. Martin. So too was the experience of the Greek Confederacy very different from the theory. For the power of that Confederacy, like that of our present Congress, was administered by deputies appointed solely by the individual city-states. And as happened all

too often, the deputies of the strongest cities corrupted those of the weaker, so the council's judgments went in favor of the most powerful party. Thus the most powerful members succeeded in tyrannizing the weaker ones. It's a familiar scenario, Mr. Martin. We see it played out daily in this very chamber!

LM: What we see in this chamber, sir, is the workings of a true republic. In the grip of day-to-day issues, the terms of civic virtue may seem petty. But governing our Congress at all times is a benevolent spirit, which is always present where men are free to participate in the determination of those matters affecting their own self-interest. Sir, your republic, as you are wont to call it, would gut the nation. You would transfer a man's most essential loyalty from the state government which he understands to some abstraction of a national government which he can neither understand nor participate in. Such a displacement of loyalty would unravel the very fabric of the republic! We might as well do away with the states altogether. Do away with the Union!

AH: Your apprehensions are unreasonable. Quite to the contrary, my republic would do nothing to alter a man's loyalty to his state government. There are certain social principles from which we may draw solid conclusions with respect to human conduct. We love our families more than our neighbors; we love our neighbors more than our countrymen. Human affections, like solar heat, lose their intensity as they depart from the center. Accordingly, the

attachment of the individual will be first and forever secured by the state governments; they, in turn, will support the nation.

LM: Men, are, as you say, first in love with their families. But it is a corruptable love, sir. And when tempted by power, they will seek to promote themselves even at the expense of their kin. This Federal Constitution gives a few men all power and privilege, and so the opportunity to corrupt the nation. In a word, sir, it gives license to an aristocracy!

AH: "Aristocracy!" In my experience, those who are labelled such have earned it by their brilliance and diligence, not by their birth. Thus every distinguished man is an aristocrat.

LM: You are Casius, sir. You have a lean and hungry look that bodes not well for this nation.

AH: We often despise in others those traits we are incapable of acknowledging in ourselves. If you are charging me with ambition, then very well. I am ambitious. But I cannot forget my youth, when I was a lowly clerk. I would have willingly risked my life to exalt my station. How I wished for a war in which to prove myself! And, then came the War for American Independence. No, Mr. Martin. I am not without ambition. Are you so free of ambition yourself? Indeed, it is the ambitions of good men that are responsible for the very existence of this nation!

LM: Aye, that is true, of good men. But what if a man has

no family and is an outcast in his community? Is this man's first love to his country or to himself? Tell me, Mr. Hamilton, what if a man be a bastard?

AH: (Stung) Sir, if I could presume your sobriety you would pay for that remark with your blood! But your own logic betrays you. Who more than a bastard dreams of a time when all men, regardless of their parentage, stand equal before the law?

LM: A skillful response, sir. It may be, as you say, that a bastard does dream more fervently than any man for equality. I, on the other hand, think that a bastard dreams a quite different dream, one wherein he stands not merely equal before the law, but superior, maybe even above it altogether. What the bastard dreams, I submit, is to be a duke or a king! What he dreams of is legitimacy, and the power to crush any who may challenge it.

AH: (Jocularly) You begin to amuse me Mr. Martin. What does the bastard dream, is that the question? Let us undertake to divine the answer scientifically. Attend to my chambers tomorrow evening, sir, and we will determine once and for all what a bastard dreams.

LM: I'll be there sir. Count on it.

AH: Good! Bring with you tomorrow night two witnesses. Make them both the staunchest Antifederalists you know. Select either one you wish, and I'll scientifically prove to you that his dreams for this country are the same as mine. Moreover, I will let your other companion be the judge.

What say you, sir?

LM: In the interest of science, I will accept your challenge, sir. (Exit)

AH: (Aside) And in the interest of my honor, sir, I will accept your head! (Exit)

History Narration

DIALOGUE I, Scene 2

The dream is used as a device to expose the private fears and motives of the federalist Hamilton. But they are subject to the interpretation of his opponents, Patrick Henry, Luther Martin and Mercy Otis Warren. The setting is Hamilton's bedroom, where our three antifederalist observers feel free to express themselves in ways they may not have in public.

And now let's join Henry, Martin, and Warren as they test the Hamiltonian dream.

SCENE 2: Hamilton's Bedroom

(Hamilton sits slumped in chair, apparently asleep. Also present are three witnesses: Martin, Mercy Warren, and Patrick Henry. LM. is vigorously pacing the room; HY. is seated calmly in one of the chairs, and MW. is busily writing at the table.)

LM: (Impatiently) Whenever you are ready, my dear Mrs. Warren. Please be so kind as to read your account of this evening's proceedings.

(MW. does not answer at first; continues to write busily. LM, annoyed, paces the room even more vigorously. PHY. sighs contentedly; picks at an invisible piece of lint on his coat.)

MW: (Finishing her writing) Before I read it, I need clarification on a point or two, Mr. Martin.

LM: Happy to oblige, dear lady.

MW: We are to assume that these proceedings are in the nature of a scientific experiment?

LM: Precisely, good lady.

MW: (Making note) And the hypothesis of this experiment, may I ask?

LM: That Morpheus will loose the truth from even the trickiest of tongues. Hamilton simply proposed that the dreams of a Federalist were the same as those of an Antifederalist; I contended they were not. To prove his point, Mr. Hamilton suggested that I bring two acquaintances with me to his chambers; one to be the staunchest

Antifederalist I know--Mr. Henry--and the other to serve as an impartial judge--Mrs. Warren.

MW: But that hardly seems fair, Mr. Martin. You know my sentiments are strongly against this Convention and its product.

LM: Nonetheless, I trust your honesty, madam, as I am sure our subject would, were he awake to confirm it.

MW: Then we are to assume the subject is truly asleep.

LM: An essential conceit. Please, Madam! Can we not get on with the reading?

MW: Of course. (Reads) "On the Nature of Dreams: An Account of a Scientific Inquiry Into the Dream-State of the Honorable Mr. Alexander Hamilton, Esq. Conducted in the Chambers of the Aforementioned Gentleman by the Honorable Mr. Luther Martin, Esq., of Maryland, and Witnessed by the Honorable Mr. Patrick Henry, Esq., of Virginia and Mrs. Mercy Otis Warren of New England. Written on the Scene by the latter this day, 1787, in the City of Philadelphia of the Commonwealth of Pennsylvania." (Pauses)

(PH. smiles benignly.)

LM: (Exasperated) Admirably entitled, Madam.

MW: (Reads) "On the evening of the day in question, the Honorable Mr. Patrick Henry, Esq. of Virginia . . .

LM: May we dispense with the formalities, madam? Please, just give us your account of this evening's events.

PH: Mrs. Warren is only following appropriate manners of address. Pray continue your reading, Madam.

MW: Very well. I shall attempt to comply with your desire to expedite the reading, Mr. Martin.

LM: (Forced smile) It would be most appreciated.

MW: To continue. "The honorable . . . Mr. Henry and Mrs. Warren were ushered into the sleeping chambers of Mr. Alexander Hamilton, whereupon they found Mr. Martin already arrived and Mr. Hamilton apparently asleep." I think "apparently" is correct. I know we are to assume his sleep, but we didn't test it. This is a scientific report.

LM: "Apparently" is quite correct, madam. Please . . .

MW: (Reads) "Mr. Martin explained the purpose of the gathering . . . ." I shan't read this section, however, in defference to Mr. Martin.

LM: Thank you, Madam!

MW: (Shuffling through her papers) Let's see now . . . Ah! Here it begins. (Reads) "Whereupon the subject (Mr. Hamilton) began to stir and moan in his sleep, and to speak aloud certain words and phrases. At first these sounds seemed incoherent; however, after a time, we observed a narrative pattern. Gradually, it became clear that the subject's remarks pertained to incidents in his life, from which we inferred that the subject was in his dreams revisiting events now past in which he had participated. From the pleasurable tone of these utterances and the happy expression we further inferred that these events were the source of immense satisfaction to the subject, perhaps even of pride. The collective analysis of said utterances we

witnesses have induced that the following incidents are objects of the subject's dreams." ". . . objects of the subject's dreams. . ." Does that sound awkward to you?

LM: It is a perfectly adequate phrase, madam.

PH: Try the phrase, ". . . have induced that the subject dreamed the following incidents."

MW: (Writing) ". . . dreamed the following incidents." Much better. Thank you, Mr. Henry. Now. (Continues reading) ". . . namely, his promotion from bookkeeper to manager of a countinghouse, his study at King's College, his Revolutionary War experiences, including his years as aide-de-camp to General Washington, and his brave assault against the forces of Cornwallis in the Battle of Yorktown, his marriage to the prominent Elizabeth Schyler, his call to the Bar of New York state; and his election to the Continental Congress and later to the lower house of the state legislature." (Looking up) In his dream state, Mr. Hamilton appears to have provided us with a rather complete history of his life--much more so than the random nature of his utterances would have suggested.

LM: Humph! A rather selective history, I would say. He makes no mention of his infamous defense of British loyalists after the War, nor of his role in restoring to them the property rightly confiscated by the state. And, of course, no mention of the circumstances of his birth . . . .

PH: Go no further, sir. This is not a subject for polite conversation.

LM: Beg pardon, Madam. She will, however, Mr. Henry, hear my opinion, and it is this: that what we have heard here tonight is the history of a rogue, dreamed by the rogue himself. And this Federal Constitution, which he and his fellow Federalists yearn to foist upon this country, will destroy the very liberty we fought for so hard and so long.

MW: Mr. Henry, do you share Mr. Martin's opinion of the proposed Constitution?

PH: Mr. Martin and I both oppose the new Constitution; I believe it nothing less than a question of freedom or slavery. Nonetheless, I respect many of the ends which the worthy supporters of that document seek. I acknowledge the need for general government; in fact, I was until recently a champion of the Federal cause. I simply place liberty first, and union second. Mr. Hamilton, and, indeed, this Convention reversed those priorities. That is why I declined a request by the people of Virginia to represent their interests here.

MW: So your presence in Philadelphia has nothing to do with the events taking place at Independence Hall?

PH: Nothing whatsoever. I am merely a private citizen here on private business.

MW: And do you also share Mr. Martin's opinion of the evening's revelations?

PH: Not entirely. I do not condemn Mr. Hamilton's dream. Indeed, he is due considerable praise. He is a self-made man; and so am I. This nation was built by self-made men;

indeed, its very reason for being is to provide men of character and ambition the opportunity to make good. In my youth, I had nothing but a few acres of poor soil and six slaves; my early business ventures failed; my home and possessions burned. Yet there was still opportunity. In six weeks of study I taught myself enough law to be admitted to the Virginia bar. Adversity toughens manhood. Today, I own 24,000 acres in Virginia, and as many in Kentucky, and I own over a hundred healthy slaves and twice as many horses. I have secured a comfortable living for my family and a legacy for my children. Mr. Hamilton, in my opinion, has done no less. And for this, he should be praised.

LM: But his motives, Mr. Henry, his motives. He seeks always his own good, not the wellbeing of the country.

PH: I do not agree. Mr. Hamilton is neither a greedy nor an evil man. And he is a patriot, despite what you say.

LM: He has no sense of civic virtue.

PH: Ha! "Civic virtue?" What is that? Why, the very phrase is a contradiction in terms. There is no virtue in government, Mr. Martin. Those who perform civic actions are inevitably driven by private interests--I know I am. Government is a necessary evil, whose purpose should be to prevent one group of private interest from gaining too much power over another. The conflict is not between civic virtue and private interest, but between your private interests and mine. Government's task is to prevent either of us from gaining ascendency. This Constitution would turn

government's purpose on its head.

ML: Excuse me, Henry, But if I understand what you say, you seem to be as little in sympathy with Mr. Martin as with Mr. Hamilton.

PH: Mr. Martin, like many Anti-Federalists is a man of ideals; he has sacrificed wealth and position, or so he would have us believe, in the name of the common good. Though I too oppose the Constitution, I think such self-sacrifice is self-defeating; it places far too much trust in the virtues of men. Shall we ally ourselves with the mob, and subject ourselves to the tyranny of a majority? It is natural for a man to seek wealth.

MW: Then what is your quarrel with Mr. Hamilton's Constitution?

PH: My quarrel, madam, is not that it rests on a base of private interest, but that these interests are not my own. Allow me an illustration. Mr. Jay and his friends among the Northern commercial interests--including our slumbering subject here--would give navigation rights on the Mississippi to Spain, supposedly for a "mere 25 years." Are we to believe that Spain, once having gained such powers, will willingly relinquish them? Mr. Jay engages in no business speculations whose success depends upon later free access to the Mississippi. He has built no homesteads, fought no savages, bought no property in Kentucky, as I have. So why should he share my interests, or the interests of my fellow Virginians? Yet this new Constitution will

give him the power of a distant majority, a power that can divest me of my property, double my taxes, free my slaves. We fought one revolution over taxes; shall we fight another?

LM: Upon my word, sir, you astound me! We both oppose this Constitution, but our reasons are entirely different! I begin to suspect that you too lack civic virtue!

PH: Shall I give up all that I have in the name of civic virtue, Mr. Martin?

LM: Sir, we must all acknowledge a common good, and sacrifice to see it prevail! We are not dogs scrapping for a bone, but men, sir, human beings, endowed with reason and virtue!

PH: Beware of too much idealism, Mr. Martin. An excess of virtue can bring down a government as quickly as an excess of vice. Talk to me not of checks and balances on paper, but tell me instead of checks founded on self-love. Government is an imperfect instrument in an imperfect world. Its goals are invariably practical.

LM: But Mr. Hamilton aids and abets traitors! He defends the rights of Tories, and advocates commerce with Britain! When I was Attorney General of Maryland, I prosecuted Tories to the hilt!

PH: Yet Tories and Britishers are enterprising, monied people, sir. What Mr. Hamilton is doing is no more than enlightened self-interest. Even if Tories and Britishers are against us in point of feeling and principle, I can see no objection in using them to our advantage. Shall we, who

have laid the proud British lion at our feet, now be afraid of his whelps? We need strong commerce as well as strong ideals to endure.

LM: I am amazed, Sir! Virtue, Patriotism . . . these are not impractical notions, no mere baubles with which to dress up a rat! That Mr. Hamilton might view them as such is to be expected. But to find these views in you is not to be comprehended!

PH: Mr. Hamilton, whose character is sometimes discredited by those who cannot discredit his ideas, is much like me. And you, sir, are no less subject to the natural tendencies of men, no matter how you may cloak your search for private gain in the tattered robes of zeal and poverty.

MW: Gentlemen! Look! Our sleeper stirs!

(Hamilton arises from his lounge and begins to walk slowly about in the attitude of a sleep-walker. He stops; his countenance assumes a fearful expression. He cries out in anguish.)

MW: He is in pain, sirs! Let us awaken him at once! (MW. starts toward him; LM. blocks her way.)

LM: No, madam! You must never waken a sleep-walker! To do so would be his death!

AH: No! Stop! What are you doing? Stop!

MW: What is he saying?

LM: Listen!

AH: Who is that? Captain Shays? Is that you?

LM: Listen, Mr. Henry! He dreams he is the rebel Daniel

Shays! What do you say to that, sir?

AH: But this is a court of law, sir! Put away your weapons! Disperse your mob!

PH: No, sir! He dreams he opposes Shays!

MW: Captain Shays who led the public protest by the farmers . . .

PH: Insurrection, madam. Let us not license mob action with the term "protest."

MW: They were protesting the heavy taxes laid on them by the Massachusetts legislature to meet the interest on the State debt.

PH: The reasons for their action are immaterial. Destruction of property is destruction of property. Mob rule is mob rule. Chaos is chaos. We cannot have it; we will not have it!

MW: Captain Shays is still at large, I believe. He is a rebel . . .

PH: He is an outlaw, madam.

MW: He is a rebel and thus an outlaw, sir. But he was also a soldier. He fought at the Battle of Bunker Hill.

PH: (Standing) Madam, if you are attempting to excuse this man, I will not hear it!

LM: Calm yourself, Mr. Henry. Sit down. (PH. sits) I'm sure Mrs. Warren meant no such thing. The events at Springfield are appalling to us all. It has been all the talk at the Convention. Even Antifederalists can see the need for a Constitution that would prevent such

insurrections as Shays Rebellion. Only, I wonder, sir, at the vehemence of your response. Granted insurrection is a horrible thing; still, Captain Shays was acting in a manner consistent with your own philosophy. He was only exercising his own self-interest.

PH: (Heatedly) He was acting above the law, sir! How dare you twist my words into a defense of outlaws!

MW: Gentlemen, please! There is no end to this argument. Which comes first, principle or self-interest? Which comes first, the hen or the egg? You forget the task at hand, which is to observe the dream-state of Mr. Hamilton, who still lies as he has fallen. Mr. Martin, he now obviously has passed into a deep sleep. Surely we may awaken him now in safety, if only to provide him with more comfort.

LM: Madam, have you not heard the phrase, "Let sleeping dogs lie?" I would not stir a muscle to provide for that man's comfort!

MW: I see. Such is the response of the man of principle. And you, Mr. Henry?

PH: Madam...

MW: No. Let me guess. It is not in your self-interest to move him.

PH: Precisely, madam.

MW: And I, as an observer in this experiment, must remain uninvolved. So he lies where he fell. (She returns to her desk and takes up her pen.) And so, gentleman, to return to the agenda. Our experiment is concluded. Mr. Henry has

given evidence several times this evening that his dreams and those of Mr. Hamilton are indeed the same. The dreams of the Federalist and the Anti-Federalist concur.

LM: Bah! I'll have no more of this charade. I bid you both farewell. (Exits).

MW: (She takes up her pen to write) And so, Mr. Henry, do you have anything to add concerning our experiment on dreams?

PH: (Diffidently) Write whatever you like, madam. I'm sure it will be agreeable.

MW: (Pauses, then reads aloud as she writes) "When dreams pass, virtue flees." (She looks at Henry, sitting calmly in his chair, and writes again) "Then, only self-interest remains." (Curtain.)

SCENE 3

(Anteroom of Hamilton's Bedroom)

PH: As I said, I'm sure whatever you write will be agreeable. Your other writings have inspired us all. You have put your pen to the service of a great cause in supporting our struggle for Independence.

MW: Why Mr. Henry, I had no idea my efforts on behalf of our nation's cause had attracted your august attention.

PH: I detect a note of sarcasm, madam. Perhaps you doubt my sincerity. That is understandable, coming from a perfect stranger. But rest assured I am not a stranger to your work. You are a true patriot, madam.

MW: I thank you, sir, and I am sorry for my sarcasm. It certainly wasn't intended. However, I am a satirist, Mr. Henry; sarcasm is my strong suit.

PH: Perhaps, but I think there is more. I would be much distressed if my friend Mr. Martin who is somewhat given to the grape said anything that has caused you to think less of him--and, thus, of me. At times he can be quite insensitive to the delicate sensibilities of ladies.

MW: Now it is you, Mr. Henry, who are sarcastic. If you are referring to Mr. Martin's illusions to Mr. Hamilton's illegimacy, I took no offfense whatsoever. I am the mother of five sons; I know where babies come from, sir. And I am quite tolerant of the fact that, once the process has begun, it will proceed to its conclusion despite the marital status of the mother and father and certainly to no fault of the

child. I was actually more offended by Mr. Martin's slur upon the character of Mr. Hamilton. While I am not an admirer of that gentleman's ideas, I do not believe he should be attacked ad hominem.

PH: My sentiments exactly, madam. I am now more an admirer than ever.

MW: I am happy you are so agreeable, sir.

PH: And because I do hold you in such esteem, Mrs. Warren, I hope you will accept my following remarks in the spirit in which they are offered.

MW: Why Mr. Henry, this begins to sound like a reproach.

PH: More in the way of a concern for the proper conduct of ladies in regard to political affairs.

MW: I must admit that politics is a subject much out of the road of most female attention.

PH: I quite agree, madam.

MW: Yet in times of war, when every domestic enjoyment depends on the outcome, who can be a silent spectator? Surely not the fond mother, or the affactionate wife, who trembles lest dear one should fall victim to lawless power. In such times, even a female pen might be excused for touching on issues of politics.

PH: Certainly, madam. But would you not also agree that the female pen should be guided by the hand of her husband?

MW: It may be guided by an affection for her husband, sir, but the hand guiding her pen must be her own.

PH: (Skeptically) Indeed, madam?

MW: I recently completed a play, Mr. Henry, entitled The Ladies of Castille. It is set in sixteenth-century Spain, during the time Charles the fifth, and the civil wars resulting from the tyranny of his successors. The play concerns two women of contrasting temperaments caught up in those unfortunate events. One is the delicate Louisa, who says, "I wander wilder'd and alone/ Like some poor banish'd fugitive . . . I yield to grief." The other is the staunch Maria, wife of the leader of the rebellion, who announces herself as having "a bolder part to act--/I scorn to live upon ignoble terms."

PH: Excuse me, Mrs. Warren. But haven't you employed the name "Maria" as your pen name?

MW: You ahve almost found me out, sir. Mine is "Marcia" after the Greek character. I confess, though, that the character Maria does reflect my own sentiments: "...though famine, chaines, and death/ Should all combine...I ne'er will yield,/ Nor own myself a slave."

PH: Tell me, what does Maria's husband say to this?

MW: He is quite proud, sir. He declares her "virtue's rais'd...far above...the female Sex."

PH: Indeed, madam, her virtue is so far above her sex, one might even call it manly.

MW: (Animately) Exactly, sir! Though fearing for her husband, Maria feels within herself "a manly force of mind/Urging to deeds heroic and sublime." When she hears false news of his death, she vows, "I will avenge my lord...I will never despair." And later, after his actual

death, she heroically rallies his troops:

Behold, the virtuous citizens of Spain...

Come, show one example of herioc worth,

Secure the city--barracade the gates!

PH: These aremanly sentiments indeed. So tell me, dear lady, what is the message of The Ladies of Castille?

MW: Sir, I hope the message is obvious: that, even during war, women must assert themselves and their opinions. Women like Louisa, who acquiesce to the flow of events, do not survive revolutions. Whereas women like Maria, who take positions, make their own judgments and risk their lives, but in the end emerge stronger and in control. "A soul inspired by freedom's genial warmth, expands, grows firm, and by resistance, strong."

PH: A ringing utterance, madam.

MW: Not quite "Give me liberty, or give me death!" But it conveys my sentiments.

PH: You flatter me, madam. But tell me again the setting of your play. Spain, did you say?

MW: Yes, Spain during the sixteenth-century, but of course I intended the Spanish Civil War to serve as a metaphor for the American Revolutionary War.

PH: And could your metaphor extend even further?

MW: I'm not sure I follow your question.

PH: Was it your intent to show that women should assert themselves and their opinions in all situations, not just under the extraordinary conditions of war?

MW: Why of course, Mr. Henry. Unquestionably.

PH: And this female soul that is made strong by resistance--where, prey tell, would she encounter resistance in times of peace?

MW: The line reads, "A soul inspired...," not a female soul inspired. In the matter of souls, sir, there are no genders. The soul of a man is the same as the soul of a woman. It is the human soul that "grows firm, and by resistence, strong."

PH: Let me rephrase my question, then. How is the human soul inhabiting a female person to encounter the resistence she needs to grow strong when not in warlike circumstances?

MW: Your question surprises me, Mr. Henry, since you remarked earlier that it is adversity which toughens a man. You illustrated your maxim with anecdotes from your own life, relating how you overcame your early poverty. It is the same with a woman, sir. These same ordinary adversities occur to us women just as they do to you men, and generally to the same effect. Were you not married at the time of your adversity? What was the effect on your wife?

PH: That is precisely the source of my concern, dear lady. My first wife did not handle adversity well. Indeed, in the face of it, the poor thing lost her reason. She developed a strange antipathy to me and our children. In her last days, we were forced to keep her bound in the basement; the negroes were afraid to come near the house. Adversity did nothing to strengthen her soul, madam. In fact, adversity

positively destroyed it.

MW: I am indeed sorry, sir, for you and for your deceased wife. I had no knowledge of your loss. I have a brother who suffered similarly. It must be painful to you still.

PH: Think no more of it, madam. My thoughts are now centered on my current wife and family.

MW: And what of her, sir? Has she not grown strong before adversity? One Louisa does not mark the entire sex.

PH: Mrs. Henry? She never complains. She fits Solomon's description of the good wife perfectly: "She seeketh wool, and flax, and worketh willingly with her hands."

MW: Well there now, Mr. Henry. You have your answer. Adversity can strengthen the "female" soul!

PH: (Sharply) Mrs. Henry fits Solomon's description of the perfect wife, madam, not yours. Mrs. Henry is no Maria.

MW: But has she not, in her time with you, faced adversity and overcome it?

PH: Madam, the only adversity a wife must overcome is the willfullness that would make of her husband an adversary. A difference with him ought to be considered the greatest calamity. A good wife should never attempt to control her husband. She should yield with pleasure and a smile of affection. A man of sense, of prudence, of warm feelings, cannot, and will not, bear an opposition of any kind, which is attended with an angry look or expression. The current of his affections is suddenly stopped; his attachment is

weakened; he is belittled in his own eyes; and be assured the wife who once excites those sentiments in the breast of her husband, will never regain the high ground which she might have retained.

MW: Sir, the all-wise Creator made woman the help-mate for man, and she who fails in these duties does not answer the purpose of her creation. But I have been convinced that politics and war have in every age been influenced, and in many guided and controlled, by the female sex. The opinions of a wife, however disagreeable to her husband, are not to be concealed in the obscure retreats of her bed chamber and kitchen. I should have a very ill opinion of myself if any disagreement with my husband should diminish my personal search for the truth.

PH: But, what can a woman gain by her opposition? Nothing. But she loses everything; she loses her husband's respect for her virtues, she loses his love, and with that, all prospect of future happiness.

MW: Sir, a woman whose claim on the affections of her husband is so tenuous as to be broken by a frown has already lost all prospect of future happiness. I have ever considered human nature the same in both sexes. Should a woman abandon her judgment, her opinions, her well-being and that of her children, simply to satisfy the pride of a wrong-headed husband?

PH: Madam, the love of a husband can be retained only by the high opinion which he entertains of his wife's goodness

of heart, of her amiable disposition, of the sweetness of her temper, of her prudence, of her devotion to him.

MW: All men would be tyrants if they could, Mr. Henry. The law already gives unlimited power to the husband over his wife's person and property. You would use natural human affection to give him unlimited power over her soul. The wife who acquiesces to that makes her own misery. To put things in a political light, Mr. Henry, surely you, as a staunch Anti-Federalist, can see that the Federalists wish to make Virginia a bride to northern interests, and that, if you merely smile sweetly and play the good citizen, you will be making your own misery.

PH: Madam, your analogy is flat. If Virginia were merely a willful wife she'd long ago have been put across the knee of George III and there the Revolution might have ended.

MW: There may be revolutions ahead that you've not dreamed of, Horatio. (She exits. PH. shakes his head; exits. Curtain; lights.)

History Narration

DIALOGUE I, Summary

The antifederalists have expressed their concerns about the governmental system being constructed during the Constitutional Convention. Tomorrow night the federalists James Madison and Anne Bingham will have their chance. We hope you will join us as we explore the intricacies of their argument.

And now I would like to invite Mercy Otis Warren, Alexander Hamilton, Luther Martin, and Patrick Henry to return for a question-and-answer session with you. Afterwards, you'll have a chance to question the scholars-actors.

Do we have any questions?

SECOND DIALOGUE

Dramatis Personnae

Anne Bingham

James Madison

History Narration

DIALOGUE II, PROLOGUE

Tonight we meet the architect of the Constitution, James Madison. As his intimate friend Thomas Jefferson takes office, Madison recalls a less certain time, the eve of the Constitutional Convention.

And now let's join James Madison as he reminisces.

SECOND DIALOGUE

CAST: (Narrator) Madison (JM)

Bingham (AB)

SETTING: Bare stage except for two period armchairs and an endtable. On the floor are two crates filled with books.

PROLOGUE by Madison

(Madison is precise, intense, and likable: good natured, positive, generous in his manner and accounts. Open on him holding a newspaper.)

JM: I read today in the Pennsylvania Packet of the untimely death of Mrs. Anne Bingham, wife of Senator William Bingham of Pennsylvania, at the age of 36, from a respiratory infection, or so it says. Yet how timely an untimely death can be, now that our mutual friend Thomas Jefferson has become president. Still, there is no doubt Jefferson represents a change--and not one Anne Bingham would have welcomed, either! Ha! Jefferson was much too democratic for her tastes. Ha! Even I was too democratic for her tastes, and I have only gotten worse since, at least in her eyes. I remember our first meeting like it was yesterday. Indeed, no one can--could--forget Anne Bingham. She was simply the most beautiful woman in the entire country. But she was more than just beautiful; she had brains too, and wit. And a biting tongue! Still, there was something else about her . . . Even at age 20, she had a savoir-faire, a cosmopolitan air about her. She was a true daughter of the

European Enlightenment. And in this country, she was unique; an original. You would think, coming from a rich and refined family, marrying into wealth, living extensively in Paris . . . such a background would have produced some sort of porcelain doll so fragile, so pristine, so . . . boring. Ha! Nothing could have been further from the truth! She drank, she cursed, she told bawdy stories, she gambled at cards, she went on midnight sledding expeditions when her husband was away. She simply mesmerized all the eligible young men at her parties, not just by her beauty, but by her intellect as well. I know this for a fact: I was one of those young men, and she certainly mesmerized me! In those days, I was very awkward with the ladies . . . . That was before I met Dolly, of course. Don't get me wrong . . . . I don't mean to suggest that Mrs. Bingham was uncouth or immoral. She just simply claimed for herself rights of expression and action more freely than most women of the time. I first met her during the summer of '87. What a summer that was! I was still a young man--36 years of age. My heavy schedule as a delegate to both the Virginia house at Williamsburg and the Confederate Congress at New York kept me on horseback incessantly. And when not riding somewhere, I was walking, given to long, reflective rambles in the countryside. All this activity had erased the frailty and pallor of my early youth--and it was a good thing, too, given the heavy work that lay ahead. That summer of '87, I was so excited I couldn't wait for the

Convention to convene. Do you know that I was the first delegate to arrive in Philadelphia? Me! The very first. I arrived eleven days before the Convention was scheduled to begin. I spent most of my time before the Convention meeting with my fellow delegates from Virginia--Governor Randolph, General Washington--and other supporters or potential supporters of our plan for a new national government. I even paid a call on Dr. Franklin, god rest his great soul. He was eighty-one years old then; the president of Pennsylvania. I had hoped to persuade him to lend his immense prestige in support of our plan for a new constitution. He lectured me instead on the importance of compromise to the successful workings of democracy. At the time I thought them only the ramblings of an old man; but now, they stand out as the very watchwords of the Convention--and of all that has happened since. Once the Convention finally started, my pace quickened. I never missed a day, not one. I sat on the very front row so I could hear all the speeches clearly. Copied each one down in my notebook in shorthand; and then later each evening, transcribed them in longhand. Studying the various proposals and amendments--agh! I exhaust myself now just thinking about it! But there was also the exhileration of the hour--the monumental significance of the task at hand, the high purpose of the participants, not to mention the sheer excitement of witnessing the most brilliant minds in the nation all focused on one issue, the formulation of a new

democracy and the birth of a great nation. These memories loom largest in my mind. Yet I do have one regret. Not a political regret but a personal one. I wish I had gotten to know Anne Bingham better. For as it turned out, our first meeting was also our last. Oh, that's not exactly true--we met many times, actually, in receiving lines, at parties with her husband. She was not called the "uncrowned queen of the Republican court" for no reason. But we only truly met--that is to say we had a meeting of the minds--only once, and that quite by accident. It was during the time before the Constitutional Convention when I called upon her

History Narration

DIALOGUE II, Scene 1

Mr. Madison escorts us to the private home of prominent Philadelphian William Bingham. Bingham's wife Anne spent her short life creating opportunities for public discourse in her home, a skill she learned from visiting French salons during a three-year tour of Europe.

Unlike Mercy Otis Warren, who claimed the right to participate in public life, Mrs. Bingham remained largely in the domestic sphere considered appropriate for women. A few women like Anne Bingham raised the issue of women's status as citizens. But the founding fathers never carried those concerns into the public realm of nation-making.

And now let's join Mr. Madison at Mrs. Bingham's.

husband William Bingham, the merchant and banker reported to be the wealthiest man in the entire country.

SCENE 1

(JM. enters B. study; startled to find only AB. there, unpacking books from a crate and placing them on the table. Flustered, he starts to leave.)

AB: Is that you, Mr. Madison?

JM: Yes, madam. I'm sorry to have disturbed you. I . . . I shouldn't have just burst in like this. I was supposed to be meeting your husband, you see, . . .

AB: Yes, Mr. Bingham told me of your appointment. He was called away on a short errand. He asks you to wait please.

JM: Oh. Well, in that case . . . . (Long awkward silence: JM. twists his hat in his hands; AB. continues to unpack books.) May . . . May I be of some help?

AB: If you like. You can hand me some books from that crate.

JM: Certainly, Madam. (JM. picks up some books. Noticing one of the titles, he reads it aloud.) The Encyclopedia Methodique . . . Diderot. I had no idea your husband was a reader of philosophy, madam.

AB: That isn't my husband's book, sir. It's mine.

JM: Indeed? Am I to surmise that all of these books (indicates the crates) are yours, madam?

AB: They are. My friend Mr. Jefferson recommended them to me.

JM: Jefferson? Thomas Jefferson?

AB: The same, sir. Our esteemed ambassador to France.

JM: I had no idea you were a friend of Jefferson.

AB: We are correspondents. He sent me this list of books for our library at my request. I ordered them immediately from my bookseller in Paris. They arrived just yesterday, in fact.

JM: (Continues unpacking books and reading titles) Rousseau, Locke, Hume, Adam Smith . . . I thought I recognized these titles. Madam, this is the same list my friend compiled some years ago to complete his own library at Monticello, and which I subsequently sought to get the Confederate Congress to purchase for its library--but to no avail, I'm afraid.

AB: And is it any wonder, sir? This is quite a collection of heretics, radicals, and skeptics. Not exactly the kind of reading the good members of that august body would approve.

JM: (Indicating the other crate) But there are also some standard works on international law, politics, geography, war, history, and a variety of Americana. Or at least there should be, if you purchased the entire list, madam.

AB: Oh, they are all here, Mr. Madison. But you should know better than I that the presence of one heretic in a crowd is not negated by the presence of several priests.

JM: Why then, may I ask, is a lady of your wealth and rank in possession of such a library?

AB: Sir, it is because of my wealth and rank that I can possess such a library. My wealth enables me to purchase it in the first place; my rank enables me to read it undisturbed.

JM: The privilege of nobility, madam?

AB: If you like, Mr. Madison.

JM: And, of course, there is the protection of your sex.

AB: Indeed, sir? And what protection is that?

JM: Why, your beauty, madam . . . the very fact that you are a woman provides you with an innate defense.

AB: I see. So the shape of my skull, the fact that I can bare children, and the inconsequence of my position all work in my favor, is that what you are saying, Mr. Madison?

JM: Not exactly, madam . . .

AB: . . . in my defense, then. Defense from whom, Mr. Madison?

JM: Why, defense from . . . from . . .

AB: From men? Am I, sir, at this moment in danger from you? Is the fact that my face is pleasing, that you can hear my children playing in the hall, and that you are here not to see me but rather my husband--is that all that stands between me and some fate worse than death? Surely, sir, you must think better of yourself, and by extension all men, or else you would never have allowed yourself to remain alone with me in this library!

JM: A woman's natural protection is against her innate innocence and vulnerability.

AB: Oh, I see. My beauty, my motherhood, and my wifely stateion all work to protect me from myself. Now I understand clearly, Mr. Madison.

JM: Perhaps I have put it badly, madam, but you know what I mean.

AB: Oh, yes, Mr. Madison, I know exactly what you mean. Tell me, sir, do you like this painting?

JM: Yes, indeed. It is a wonderful likeness of you, madam. Who is the artist? (Peering at the painting) Peale? Mr. Charles Willson Peale, is it?

AB: That's correct. Now, Mr. Madison, would you be so kind as to describe the composition?

JM: (Puzzled) Why, certainly madam. The artist has rendered you sitting at a writing table . . . It is this very one. You seem caught in a moment of reflection, looking up from your book.

AB: You are very perceptive, Mr. Madison. Now I'll tell you a story about that painting. It is not the one I originally commissioned.

JM: Indeed?

AB: No, it isn't. I had originally commissioned Mr. Gilbert Stuart to do a portrait.

JM: The artist whose portrait of General Washington is now so famous?

AB: The same. Mr. Stuart started our portrait by grouping my daughters and myself at the rear of his painting, with Mr. Bingham in the foreground glancing back at us "with a

self-satisfied expression," I think the artist described it. That is not the painting you see before you.

JM: No, it is not, madam. I gather . . .

AB: (Interrupts) Mr. Stuart and I had a disagreement over such a domestic arrangement; the result is the portrait you now see before you.

JM: I see, madam.

AB: I do hope so, Mr. Madison. There are some countries on earth, sir, where a woman needs no protection against herself or anyone else. In France, for example, women are free to do as they wish--even to interfere with the politics of the country, wherein they often change the fate of empires. Either through gentle persuasion or superior ability, they have obtained that rank in society which the sex is entitled to, and which we in vain contend for in ours. We are therefore bound to admire these ladies for asserting our privileges, just as the friends of liberty admire the successful struggles of the American patriots. I wrote this opinion to your friend Mr. Jefferson.

JM: Yes?

AB: He lectured me on the virtues of republican motherhood, and sent me a box of fashion catalogs. (Responds to an unheard sound.) Excuse me, Mr. Madison. I think I heard Mr. Bingham come in. (Goes to the library door, which is stage front, opens it and shouts) Jenny! Tell Mr. Bingham we're in the library!

J: (Off stage) He's not yet returned, mum!

History Narration

Dialogue II, Scene 2

As they continue to converse in the Bingham library, Madison expresses his dislike for the Confederation government and then reveals the ideas that would become the Virginia Plan.

And now let us rejoin Mr. Madison and Mrs. Bingham.

SCENE 2

AB: I'm sorry, Mr. Madison. Where were we? Why don't you tell me the nature of your business with my husband.

JM: Well, madam, I don't know quite how to begin.

AB: Pretend I am Mr. Bingham, sir. Be blind to my beauty, obliterate my motherhood, invest me with a masculine mind and nature, and then simply . . . talk!

JM: Forgive me, madam, but I am not so imaginative as to pretend all that! Nonetheless, I shall attempt to accede to your wishes. (Clears his throat as in preparation for delivery of an oration) Good sir! How kind of you to receive me. I know how precious your time is.

AB: (Imitating her husband, she tries to lower her voice) Nonsense, nonsense! I am honored, sir, to make your acquaintance! (Puts out her hand, which he grasps and shakes vigorously.) The whole city is abuzz with this Convention, Mr. Madison. Some say it will bring about a whole new republic, sir.

JM: And what do the others say, sir?

AB: (Smiles) That it will bring about the ruin of this one!

JM: And what say you, sir?

AB: I say nothing, sir. I smile and I listen.

JM: And consult your wife?

AB: Of course! Doesn't every great man consult his wife?

JM: Oh, indeed, sir, indeed! If he has one.

AB: And what is your position at this Convention, Mr. Madison? I gather that is why you came to see me.

JM: That is correct, sir. As for my position, it is not unlike yours, sir. I plan to listen a great deal.

AB: And to speak a great deal as well.

JM: No more than I am compelled to, sir.

AB: Indeed? No, I suppose not.

JM: Sir?

AB: Excuse me, sir. I was just thinking aloud. I must confess that I undertook to learn something about you once you asked for this interview.

JM: Your reputation for thoroughness and caution is born out, sir. I am flattered that you would consider my request of such importance.

AB: I've learned that you are a scholar; of a good family--not too wealthy, but landed--well respected by your peers.

JM: I don't know what to say. . .

AB: I've heard <u>that</u> of you as well.

JM: (Puzzled) What, sir?

AB: That you don't say much. That your forte is working through others. That your strength, sir, is as a strategist, not as an orator. Is it true?

JM: It is largely true, sir.

AB: Good! I am glad to hear it! I like your style, sir! It is much like my own. A merchant and a banker, must, well . . .

JM: Keep out of the limelight; do his business from behind the scenes, as it were.

AB: Precisely!

JM: I too feel that a politician's work is often done best out of the glare of the public eye. Not that I mean to suggest there is anything underhanded about my work.

AB: Nor do I, sir, nor do I! But I am happy, sir, that we have this understanding. That we see eye to eye, and man to man! (She moves to look M. straight in the eye. At this point both AB. and JM. break into laughter; recovering, she continues) So tell me, Mr. Madison, what is it about our current republic that so bothers you?

JM: Everything about it bothers me. The Articles of Confederation, to start with. When I look at them, and the federal government they establish, I see a one-house Congress mixing executive and legislative powers; I see Delaware having the same number of delegates as Virginia, which has sixteen times more people; I see nine votes required for every governmental action, so that absent states in effect vote No; I see Congressional delegates appointed and recalled by state legislatures, making the federal government absolutely subservient to the states. I see no money for federal purposes except by requisition from the states, which the states ignore; no federal power over commerce; no federal judiciary; all power retained by the states unless expressly delegated, and no means of enforcing the powers they do delegate; and no amendment of the Articles without the unanimous consent of all thirteen states!

AB: So you want the Convention to patch up the Confederacy.

JM: (Vehemently) No! I don't want the Convention to patch it up! It cannot be patched up! Madam, what I want is for this Convention to do away with this Confederacy. I want it to establish a new form of republic, one with a new relationship between the states and the central government, between the people and their institutions. Power, madam, must go with sovereignty. That is the lesson of history.

AB: I understand that you would like to do away with our weak national government and replace it with a much stronger one. But it won't be easy to convince the delegates to change.

JM: (Smiles) You're right. It won't be easy.

AB: If it is any consolation, I have often heard Mr. Bingham suggest doing away with the Confederacy--often in the form of a curse!

JM: Well, I am happy to hear that he has at least considered it.

AB: Oh yes, he has considered it all right. And he has even suggested replacing it with a monarchy, perhaps with General Washington as king.

JM: Yes, I have heard that proposal as well. It is very popular among my wealthier colleagues from the larger states. Indeed, my friend Mr. Hamilton has hinted at such a government.

AB: And what do you think of his proposal?

JM: Well, I think it tosses the baby out with the

bathwater!

AB: Whatever do you mean?

JM: Well, you see, the whole case against a republican form of government rests on just two fundamental arguments. Men like your husband look at our current government, and argue that republics are too turbulent, that they breed factions but are lacking the power to control them, thus making the state unstable and vulnerable to evil influence. Others look at our sprawling nation, and its vast territories and they argue that a republic can only . . .

AB: . . . can only function in the confines of small territories, such as the city-states of Greece. I have heard that argument. The Roman Empire is often cited as the greatest example in history.

JM: Exactly!

AB: When it was small, confined to the Italian penninsula, it could function effectively as a republic. But once it expanded across the seas and into France and Britain, it required the strong hand of an Emperor to defend and govern such a large area.

JM: That is the argument precisely!

AB: Now let me put another question to you, Mr. Madison, the female question, if you will. As with the case against republics, there are two fundamental arguments against women's interference in politics. The first is that women are too passionate by nature, that they breed emotions but are lacking the rational powers to control them. This makes

them unstable and vulnerable to evil influence. The other argument against women is that . . .

JM: . . . is that they only can function within the confines of small territories, such as the home and hearth.

AB: Exactly!

JM: Genesis is cited as the precedent. When Adam and Eve were confined to the Garden, Eve could function as the equal of Adam. But once expelled into the Wilderness, she needed the strong hand of her husband to defend and govern. . .

AB: . . . her passionate and vulnerable nature. Tres bien. But tell me, sir, how do you answer these arguments?

JM: By turning them against one another!

AB: That sounds clever. What does it mean?

JM: Well, the key is to accept the premises but not the reasoning. I accept the premise that our government will have to administer a large territory, and I also accept that within this large territory there will be many factions. What I do not accept is that a republic is incapable of governing effectively in such circumstances. Think about it for a moment, Mrs. Bingham. True, a republic breeds factions; indeed, a large republic breeds many factions, and that fact is its salvation! For because there are so many factions, the factions themselves counterbalance one another, thus controlling their own turbulence and providing stability for the state without the need for an emperor or king. Moreover, in a republic governing a large territory, there are more opportunities for able leaders to emerge and

prevent the rise of demagogues.

AB: That is brilliant, James. Truly brilliant! My husband will be impressed. I am impressed.

JM: Thank you. I am glad you approve of my argument. I pray that it also is true! So much still hangs in the balance. That is why I must speak with your husband. With men of experience as well as reason. I need to know if my solution is right!

AB: Perhaps we might test it. Does your solution also hold for the question of women? Let's see. If it is true that women are indeed irrational by nature, then by allowing them to mingle freely in society on an equal footing with men, their passions would be counterbalanced by rational masculine elements thus negating the need for a husband or father to protect and govern them. Oh, I like this argument, Mr. Madison, I certainly do!

JM: There's more, too. By allowing women to mingle freely on an equal footing with men, they would have more opportunities to obtain reason themselves, and so more strength to combat evil influence.

AB: We could go to universities! Study law. Run for office! Vote on your new government! Oh, this is a wonderful argument of yours! But tell me, will you go so far in your exposition of equality as to include women? (Long silence) No, I thought not. Well, then, tell me what form your republic will take.

JM: Well, in brief, our plan proposes a federal government

with three separate branches functioning as one: that is, an executive branch, a legislative branch, and a judicial branch.

AB: God the Father, God the Son, and God the Holy Ghost. A trinitarian government--how Orthodox of you, Mr. Madison.

JM: Yes. Well, be that as it may, the plan also calls for the legislature to be bicameral--two houses, an upper and a lower.

AB: Like the British Parliament! A House of Lords and a House of Commons!

JM: Very similar. Only in this case, both houses will be elected. And frankly, there's the rub. There may be a problem over the manner in which the national legislature is composed and selected.

AB: And why is that, Mr. Madison?

JM: Well, the current Articles of Confederation establish state representation in the Congress on the basis of absolute equality--one state, one vote. That system of apportionment is inherently unfair to the people in states with large populations. They receive proportionately less representation than do their fellow citizens in the smaller states. We Virginians--and I hope you Pennsylvanians as well--propose that, under a new constitution, the membership of both houses be determined on the basis of population. However, the smaller states, who benefit from the status quo, are likely to object to our plan.

AB: And what is the basis of their objection?

History Narration

Dialogue II, Scene 3

Before they conclude their unplanned meeting, Mr. Madison and Mrs. Bingham suggest various roles for the social and political elite in a system celebrating mobility, rather than heredity.

And now let's rejoin Mr. Madison and Mrs. Bingham.

JM: They may well feel that determining representation on the basis of population would give the larger states undue power over smaller states. Representatives from these states argue that since all states are equal sovereign entities, they should be afforded equal representation in the national legislature. If they remain as adamant about their position as the large states are about theirs, finding a middle ground will not be easy. That is one of the reasons I need to see your husband.

AB: Speaking of my husband, I am sure I hear him now. (Shouts) Jenny? Jenny? Has Mr. Bingham come in yet?

J: (Off stage) No, Mum, he's not!

AB: Oh, that man! He's always doing this to me! SCENE 3

SCENE 3

AB: I am sorry, Mr. Madison.

JM: Please, don't be sorry on my account. I've been enjoying myself thoroughly.

AB: That's kind of you to say, Mr. Madison, but I know better.

JM: No, seriously, Mrs. Bingham, I don't mind. I'm quite prepared to accede to the perogatives of wealth and power. To bask in their accoutrement, as it were.

AB: Indeed. And am I an accoutrement of wealth and power, Mr. Madison?

JM: Oh no, dear lady! That is not what I meant at all!

AB: I see. Tell me do you like this dress? (She turns around slowly to show it off.) It's the latest design from

Paris!

JM: It is exquisite!

AB: And these furnishings? These carpets? This table? These chairs? We bought them all during our three years in Europe.

JM: They are all quite lovely. Anyone would be envious of such . . .

AB: . . . such accoutrement?

JM: (Smiles) Yes. We are all envious of such accoutrement.

AB: Good!

JM: Pardon?

AB: I said good. You are supposed to be envious of them. That is their function.

JM: I'm not sure I follow.

AB: "The proper object of a reasonable man is the pursuit of riches." My father used to say that and my husband says it too. Do you know what it means, James?

JM: Well, I believe it means that it's alright for a man to seek wealth and power.

AB: That's partially right. But there is more to it. Not only is it alright for a man to seek wealth and power, it is his proper object--the thing he should do above all else. And not just any man--rather, the reasonable man, the man of learning and reflection. Did you know my husband is a vice-president of the American Philosophical Society?

JM: Yes, I did.

AB: And a member of the Society for Political Enquiries?

JM: Yes. I knew that as well.

AB: Many of the books you see here are mine. But there are also many more here which belong to Mr. Bingham. He believes that a man, through rational reflection and observation, can discern the workings of the universe and put them to practical use. My husband works as hard at improving his country as he does his pocketbook! Do you know how he made his fortune?

JM: I was under the impression that he began his business in the West Indies during the Revolutionary War. Martinique, I believe.

AB: Yes, that's correct. And did you also know that while he was in Martinique, he operated secretly as an agent of

the Continental Congress?

JM: He rendered invaluable service to his country there. William Bingham is one of the unsung heroes of our struggle for independence. He is a true patriot.

AB: I thank you for the sentiment, Mr. Madison, but I would not claim all that for him. I love and respect my husband, and because I do I will not in my own mind cast him in a false light. To do so would diminish his truly worthy accomplishments. Mr. Binham made his fortune working trade deals with the French with one hand while entering secret negotiations on behalf of his government with the other. Clearly the opportunity to make money fueled his desire to be of service to his country.

JM: I am quite aware of his activities, madam, but permit me to observe that his is not by any means the only instance of public service rendered for private gain. Indeed, in the Convention to convene shortly are many men whose patriotism resulted from personal ambition. Service to country and service to self are not mutually exclusive propositions. If they were, patriots would be as rare as saints! Who would wish to war with an army of saints? You should be proud of your husband.

AB: I am proud! Do not mistake me, Mr. Madison. I'm proud of him, proud of myself, proud of what we have accomplished--for ourselves and for our country. We are the elite of this nation, Mr. Madison, the aristocracy it needs so desperately but cannot have, at least in name. We are

the people who have invested the most in this country, who have the most to lose should it collapse.

JM: And the most to gain should it survive and thrive.

AB: Exactly! And its survival and success is largely up to us! That is why it is proper that all men--even men of great learning--should defer to my husband and his kind. Indeed, that is why you are calling on him, and not him on you. Otherwise, all that you see about you--all these books and furnishings, this house, this dress--are mere ostentation, so many double chins about a rich man's neck!

JM: Then if I understand you correctly, these furnishings are not simply conspicuous signs of wealth, but outward symbols of an inner superiority, designed to secure the defference of lowlier classes.

AB: You understand me perfectly.

JM: But these furnishings, they are of more direct benefit to your husband, are they not? By appearing successful, does he not also impress his business associates, and so extend his credit and augment his commerce?

AB: That is true. And by the same token, he brings the same benefits to this country. This house and its holdings not only are signs of my husband's wealth, they are also signs of the wealth of this nation--and more importantly, of its stability and prosperity. My husband's business associates in Europe constitute the elite of their respective countries, as you might know. By impressing them with his wealth, he benefits both himself and his country.

For this reason alone, the government of this nation should be composed of its elite classes, it's natural aristocracy.

JM: I agree with much of what you say. But I cannot allow that only the wealthy have a vested interest in this country. Nor do I accept the premise that they alone provide for its benefit. You and your husband are the elite of our society, and as such are in fact due a certain defference. But each layer of society has a vested interest in the success of this nation, and contributes to its wellbeing. Even your Jenny has made an investment. She has invested her prospect for happiness in this country. And by her industry, she benefits you, herself, and her nation. I do not believe that a government which represents only the self-interest of the wealthy can also represent Jenny's interests as well.

AB: On the contrary, it is the only government which can!

JM: I am unpersuaded.

AB: Mr. Madison, compare your government to my household. Over the years, my husband and I have imported several English servants and a French cook to serve our needs--to maintain our household . . .

JM: And to augment the impression of wealth.

AB: That too. At any rate, they benefit us. A year ago our butler married our housekeeper; as a present to them, we set them up in a mercantile business. Before that, we helped one of our coachmen become established as a grocer. Jenny out there is a poor girl from Wales. Her prospects

there, had she stayed, were bleak: marriage at an early age to a coalminer--who probably would drink up his wages and beat her--children--probably more than she should have--perpetual poverty, illness, and an early death. We took her from that life; we paid her passage, brought her here to this house, where she now has clean lodgings, proper supervision, and wages to save for a dowry. If she now has the prospect of happiness with which to invest in this nation, it is a prospect she owes solely to us. And we have the benefit of a happy and devoted servant, whose happiness and devotion is based not on my interests being served but her own. Jenny, in turn, has the benefit of home, health, and most importantly, hope. I submit to you, Mr. Madison, that a government built on this model would provide for the interests of all classes, not just the wealthy.

JM: No one, no government certainly, can provide happiness to anyone. You and your husband did not provide happiness to your servants. What you provided them with--and what you are right in presuming a government should provide--is the means to happiness. In announcing our independence from Great Britain, we declared that the pursuit of happiness--as with life and liberty--is an inalienable right of all men. I commend you and your husband for your benevolence toward your servants, but in this country they are not dependent upon it for their happiness. The pursuit of happiness is their right--not your privilege.

AB: I'm sorry, Mr. Madison. Here we disagree. What you

suggest is leveling. All men are not created equal; it is fiction to suppose otherwise. To base a government on such fiction is madness. Equality for all is simply unnatural; it leads to chaos. It gives license to rebels like Captain Shays. I can hardly countenance it; I will not endorse it.

JM: Nor do I endorse Captain Shays. But neither will I be beat over the head with him! Chaos is not the alternative to kingship! The price of order is not freedom! There is a middle ground--a form of government that maintains both the social order and individual liberty. Indeed, there would never have been a Shays' Rebellion if we had had in place a strong, central, republican government! We need not cede our rights to tyrants, be they rebels or kings!

AB: (Looks up suddenly toward the library doors) William! Darling! I didn't hear you come in! (Curtain)

History Narration

DIALOGUE II, Summary

James Madison has allowed Anne Bingham to tease out his fears about the Confederation and his hopes for the Republic. In a finale tomorrow night the three federalists, James Madison, Alexander Hamilton, and Anne Bingham meet the three antifederalists Luther Martin, Patrick Henry, and Mercy Otis Warren to contest the Constitution.

Please join us to witness the meeting of their minds and the clash of their words.

And now I would like to bring Anne Bingham and James Madison back for a question and answer session with you. And afterwards we will give you a chance to question the scholar-actors.

THIRD DIALOGUE

Dramatis Personnae

Anne Bingham

Alexander Hamilton

Patrick Henry

James Madison

Luther Martin

Mercy Otis Warren

Daniel Shays

History Narration

DIALOGUE III, Prologue

Tonight we drop in on antifederalist Mercy Otis Warren as she composes her famous History of the American Revolution, completed during Jefferson's administration. Mrs. Warren's patriotism compelled her to stretch the boundaries of woman's domestic sphere by writing plays, poems, and books under her own name.

And now let's joing Mrs. Warren at her writing table.

THIRD DIALOGUE

CAST: (Narrator) Warren (MW)
Bingham (AB)
Hamilton (AH)
Henry (PH)
Madison (JM)
Martin (LM)
Daniel Shays

PROLOGUE by Warren

(Warren is sitting at her writing table, composing. She finishes, puts down her pen, sits back and rereads her document. After a moment, she begins to read aloud.)

MW: The restoration of peace was now the chief subject of thoughtby the new nation. This opened objects of importance to a young republic, that was fast arriving to the age of maturity--a republic consisting of a number of states, which by this time had received many inhabitants, who were not originally from the stock of England. Some of them, were from more free governments, but others had fled from the slavery of tyrannical courts; these people and their opinions had become respectable in the political scale. It might be expected, that in time, the general enthusiasm for a republican system of government in America, might die out and new theories be created or old ones modified under different names and terms, until the darling system of the

United States be lost in a growing . . . (pauses) growing enthusiasm for? . . . Ah! (writes) a growing hunger for monarchy." (Sits back and reflects silently.) It seems to have happened such a long time ago. And yet, as I write my history of the American Revolution, memories come rushing back at such a pace that I am almost overcome by them. Just now as I was writing, I couldn't put two words to the page without my thoughts being interrupted by memories of Anne Bingham. Dead now--at a mere 36 years of age--and me sitting here, still alive at age 73! Ah, she was such a beauty too. The fates are jealous of such beauty in mere mortals. Yet she was more than just beauteous. She had her wits about her, much to the regret of this republic. For low these past twelve years she reigned as queen of the republican court, wherein was bred the monarchy which marred the presidencies of General Washington, and especially of Mr. Adams. they say that her husband, Senator Bingham, was her parrot and that many of the rich and powerful men of state who frequented her parties and receptions were bue so much putty in her hands. I don't doubt it! Men are such fools for beauty! But one shouldn't speak ill of the dead. And besides, now that Mr. Jefferson has been elected president, those dark days for democracy . . . (repeats phrase) "dark days for democracy" . . . hmm . . . (Scribbles a note) . . . at any rate, those days in which the Federalists ruled are over--gone for good I hope. Now we Democratic-Republicans are in power, and the real business

of democracy can begin. It's an odd fact, but men today appear unable to imagine freedom, without distinction of ranks that elevate one class of men above another. That was not always the case. I remember my own childhood in Massachusetts, growing up on my father's farm, my father being James Otis. It was there I began my lessons in equality, for my father employed on his farm many indentured servants and landless men. Yet when we sat down to eat, we sat as equals, as members of one household, one family--in fact, the farm hands were our companions! From them I learned the rough language of the working classes, which is also the language of liberty! It was this language that I used . . .

(Aside)

For example, in 1776, British troops occupied Boston and put on a play ridiculing colonial sodiers, The Blockade of Boston. The rumor is true . . . I rushed to the patriots' defense and wrote The Blockheads: or the Affrighted Officers. In portraying the British soldiers pent up in Boston, afraid of the patriots right outside the security of their forts, I had one British soldier say, "I would rather sh__t my breeches than go without the walls of these forts to ease myself."

Well, General Washington's men were cheerless! The Blockheads, (and the British were, too, you know) made the patriots laugh. Well, anything for the war effort. As I've always said, "a patriot zeal must warm the female mind."

Hmm . . . to go on.

Liberty seemed as natural then as the sun in the sky! But for sixteen years Columbia's glow of liberty was locked in the dark regions of tyranny where she grew pale and wain. With the election of Mr. Jefferson, however, she emerges once again into the light, and warmth of the bright sun, where she might be restored again to health and loveliness. Indeed, President Jefferson himself wrote my husband General James Warren that . . . (She sorts among the papers on the desk; finding one, she reads) "It is pleasant for those who have just escaped shipwreck to hail one another when landed in unexpected safety . . . I have seen with grief yourself and so many honorable patriots weeping in silence over the subversion o those principles which you have sacrificed so much for but I rejoice that you have lived to see us vindicate our rights . . . ." (Puts down the letter.) Vindication. yes. That is why I labor over my history so that the idea of liberty and the lives of the many who have persevered in that true idea, will be known. While Caesar mediated triumph over the citizens, and trampled on the liberties of Rome, he scattered generosity among the people . . . Is not America tainted with all the vices that stained that ancient Republic? It is easy to give a long list of the absurd follies that are rampant among us; but where are the virtues that will make a happy commonwealth? The statesman is plotting for power, and the greedy are growing

rich by oppression! This is the America we have, thanks to Anne Bingham and her lot of Federalists! As I said, I do not wish to speak ill of the dead, but I am a plain-spoken patriot. As my brother, James, was fond of saying: "If plain English and freedom of speech are too hard for the digestion of any stomachs, those who labor under this infirmity have a right to please their palates . . . elsewhere!" Well, I would not have you think me alarmed by womanish fears or with the weakness of old age. I am not. For myself, indeed, I do not fear much from the world--yet I have much at stake with regard to my children, my friends, my country and posterity. As I say in my history "The Lessons of Democracy" . . . "Let not the frivolity of domestic taste, nor the example of men of high and low degree, or the imposing attitude of distant nations, let not these things rob you of your character, your morals, your religion, or your liberty. Any attempt either by secret fraud or open violence to shake the union, to subvert the Constitution, or undermine the just principles which wrought out the American Revolution, cannot be too severely punished. America is a land of promise, a fair and fertile vinyard, which requires only the industrious care of the laborers to render it productive of the fairest clusters in the fall harvest of freedom. Yet Americans cannot be too scrutinous as to the character of their executive officers. No man should be lifted by the voice of his country to presidential rank who might forget the republican design of

the Constitution, and sigh to wield a sceptre instead of guarding sacredly the charter from the people." Had America but heeded these lessons from the start, we would not have fallen into the state we now are in. Ah, let me make clear how the country stands today. The nation is divided. There are two parties of political opinion, which are now absolutely separate. On the one hand, there are those who wish a union composed of states, with power vested in the states and individual rights and liberties guaranteed above all. I am proud to include myself in these ranks of true Americans. And on the other hand, there are those who want a strong central federal government with all the power in the name of "the people"--by whom they mean the rich and powerful--to which the states would be subservient, even to the point of force. Such is now the divided state of this commonwealth; a division which began the day the Constitution was signed in Philadelphia, September 17, 1787.

History Narration

DIALOGUE III, Scene 1

As Mrs. Warren recalls her opinions of the events in Philadelphia during the summer of 1787, we travel back to the State House as the Constitutional Convention adjourns. Mrs. Warren and her antifederalist compatriots, Patrick Henry and Luther Martin, survey the shortcomings of the new Constitution.

And now let's join the antifederalists Warren, Henry, and Martin.

SCENE I

(Warren, Henry, and Martin are standing in a group talking.)

LM: If this Constitution is ratified then the republic is lost.

PH: Despite the vote in Philadelphia there is much opposition to this document. There is hope yet for the republic!

MW: Our situation is truly critical. On the one hand we stand in need of a strong federal government founded on principles that will support the prosperity and union of the former colonies. On the other hand, we have struggled so long for liberty, that there are still many among us who revere her name too much to exchange the rights of men for a dignity of government.

LM: Well spoken, good lady. We who still cherish the ideals of freedom have but one course of action. We must oppose ratification of this Constitution with every fiber of our being!

MW: Some of us have lived long enough not to expect everything great, good, and excellent from so imperfect a creature as man. Before the convention convened, I said that I would not be disappointed either at the mouse or the mountain that its long labor might produce. But delegates sworn to secrecy? Power and privilege bartered by a select few? The greatest happiness for the greatest number cannot be the principle object of men who order their doors to be locked, their members to cease all communications.

LM: Indeed, madam, most of the convention notes and journals were burnt!

MW: perhaps, sir, for good reason! Were I they, I too would want no record of my actions to reach posterity! This convention behind its cloak of silence has produced an aristocratic junta! People trifling with the privileges of election! And who are these people? Look there! (Points) John Hancock. I've known John Hancock all my life! That a man without a brain in his head should so easily triumph in this business threatens the very foundations of my belief in democracy!

LM: Aye, madam. 'Tis my feelings exactly when I see the smug face of that weasel Hamilton! We must stop this ratification at all costs!

PH: At all costs? I think not. That is too high a price.

LM: Too high a price! For liberty? This, from the man who once proclaimed, "Give me liberty, or give me death!" I had forgotten how precious your possessions have become to you, sir. But there are still those of us who do not measure our patriotism by our pocketbooks!

PH: A fat pocketbook--is a very fine thing to have, sir. I recommend it to you--for reasons you might not think. With a fat pocketbook, sir, a man may exercise free will and thus achieve virtue; it is not only a measure of worth, it is a measure of commitment, a sign of vested interest.

MW: A convenient argument, sir, but your statement allows for the casting off of principles once they no longer prove

useful. To reject principles, to say that principles are useful in a nation's founding but of no value in its running is to reject history is to ignore what remains after the past has been sifted for the truth. When a sudden elevation in wealth results--usually in the abandoment of principles--it usually is the case that the parties were without principles in the first place.

LM: Bravo, dear lady, bravo! What say you to that, Mr. Henry? Has the lady not taken your measure?

PH: The fact that I am wealthy as you and Mrs. Warren imply does not mean that I lack principles. That clearly is not my history. From the start I have consistently held to two basic principles, freedom and self-interest. Let me offer some examples from my own career. In my former home county lived a number of dissenters, to whose cause I was sympathetic and whose freedom I endorsed through their beliefs were not mine. On one occasion I attended one of their meetings, and afterward stood by the horse block for well more than an hour, assisting each lady into her saddle. On another occasion, I paid jail fees to free a Baptist minister imprisoned for disturbing the peace, laying out a sum much beyond his means at the time.

MW: I gather that you wish to establish you have demonstrated principle in your past when it was not in your self-interest to do so; therefore, you believe that you are a principled man. But a few acts of tolerance, sir, do not make up for a lifetime of intolerance.

PH: You miss the moral of my story, madam. I was not attempting to demonstrate acts of tolerance, but a lifetime of self-interest! For it was my self-interest that led to my tolerance. These two investments in human courtesy contributed greatly to my later successes in public office; for much of my support is still to be found among those very dissenters, even though I am myself an Episcopalian. Moreover, my self-interest also contributed to the wellbeing of this nation and to its principles. By gaining a measure of religious toleration, these people became bound to the cause of America and to freedom.

LM: So then, Patrick, what does your self-interest dictate that we do? Should we not oppose this constitution? Should we not actively work against ratification?

PH: Of course we should oppose it! I personally plan to lead the opposition to ratification in Virginia. But not at all costs, sir! Not if opposition means the dissolution of the Union. Any attempt to dissolve this Union is the only cause I would oppose at all costs. However, I submit that ratification of this Constitution will not destroy our Union.

LM: I'm not sure I agree.

PH: No, you would not--not if you consider only the principles of the constitution. But if you consider how these principles are to be put into practice, then other courses of action become available.

LM: I'm not sure I follow you. Are you saying that, even

if ratification does come about, that there are other ways to affect this Constitution and the government it enacts?

PH: That is exactly what I am saying, sir. There is, as the saying goes, a loophole. If I cannot defeat it, I can amend it. For this Constitution, sir, allows for amendment.

LM: Amend it!

PH: Yes. This Constitution, sir, allows for amendment by the states!

LM: Amendment by the states!

MW: I begin to see what you mean.

(All exit)

History Narration

Dialogue III, Scene 2

Even as our antifederalists are thinking of improvements in what they see as a faulty document, the federalists are congratulating themselves for having forged the document at all. Anne Bingham, Alexander Hamilton, and James Madison suggest that the Constitution is a theory, completely satisfying no one but flexible enough to adapt to reality.

And now let's join federalists Hamilton, Madison, and Bingham.

Scene II

(Bingham, Hamilton, and Madison enter as a group.)

AH: Well, Madison, it was touch and go at times, especially until we got the document into my committee for the final drafting. But all's well that ends well, yes? The vote was a triumph for the Federalists!

AB: And which ones are they, Mr. Hamilton?

AH: Why, the ones who voted for the Constitution, madam. Why do you ask?

AB: Because you speak as if all who supported it did so for the same reason. That was not my impression.

AH: Petty differences, that is all.

AB: Petty, you say? Well, we shall see whether they are petty or not when it comes time for the states to vote on ratification.

JM: She has you there, Mr. Hamilton. Approval of this document by the Convention is one thing; ratification another. Our fight is far from over. But tell me, madam, your remark implies some division in our ranks. What factions do you see?

AB: On the basis of this Convention, I would say that there are at least four kinds of Federalists, as Mr. Hamilton is wont to call them.

AH: Indeed. Pray, madam, illuminate us further.

AB: First, there is your unconditional Federalist--General Washington or Dr. Franklin, Mr. Madison, and Mr. Hamilton as well. You may count on their support of this constitution,

for they have indicated their willingness to support any form of strong, central, republican government.

JM: An accurate analysis, madam. And I thank you for the company! Please continue.

AB: Thank you, sir. Among the Federalists there is also your monarchist--Mr. Dickinson of Pennsylvania, certainly, would fall into this category. And for much the same reason, you may also count on the aristocratic Federalist--John Rutledge of South Carolina, I think . . .

AH: . . . and Governor Morris of New York.

AB: Yes, him as well. Mr. Hamilton, I begin to think you New Yorkers will support any form of government as long as it's "high-toned!"

JM: Fascinating! You have named three factions thus far. You stated there are four. Who, then, composes the fourth category?

AB: He is a bit more difficult to categorize. I would call him your "conditional Federalist"--one who supports the concept of a national government, but only if founded on certain narrowly defined republican principles. Mr. Paterson of New Jersey comes most readily to mind.

AH: And yet, they all signed this Constitution!

AB: Yes, they did. And for melding all of these diverse factions into one we have Mr. Madison to thank; him and his wonderful argument!

JM: Thank you, madam. In actuality, we have the gentleman from Connecticut to thank for our triumph.

AB: You mean Roger Sherman?

JM: Exactly, madam. It was his "Great Compromise" that broke the impass between the large states and the small ones. You know that the large states had favored a legislature apportioned on the basis of population, while the smaller states, understandably, had favored one based on equal representation by each state regardless of size. It became the key issue of the debate. I'm afraid we were at loggerheads until Mr. Sherman put forward his plan.

AB: And that was . . . ?

AH: Essentially the one we approved: a bicameral legislature--two houses of Congress instead of one. We do have Madison to thank for that. But instead of having them both chosen one way or the other, Sherman proposed that the upper house--the Senate--be chosen on the basis of equal representation among the states (thus satisfying the small states), and a lower house--the House of Representatives--be selected on the basis of population (thus satisfying the large states). His plan hardly seems a compromise to me--more like a total capitulation to the small states!

JM: Nonetheless you supported it.

AH: Yes, I did. That should quiet those who say I enter into this enterprise only to further my own selfish interests. What do you say, Mrs. Bingham?

AB: It might quiet them, but I doubt it.

JM: Then tell me, Mrs. Bingham, what is your analysis of the opposition? Are they divided as well?

AB: Yes, they are also divided. But it is what unites them that should be of more interest to you.

AH: And what unites the rabble, dear lady?

AB: For one thing, they are united in their opposition to you, Mr. Hamilton.

JM: Touche, Madam! Pierced by your own sword. The lady has a point! I'm afraid this Convention has honed tempers to a fine edge. To win ratification, we will have to transcend the personalities involved. I am beginning to think now that the wisest speech made during the entire Convention was that by Dr. Franklin.

AH: I was not present at that session, I'm afraid . . .

JM: He began by saying that he did not entirely approve of this Constitution, but that he doubted that this Convention--or any other, for that matter--could obtain a better one; "for," as he said, "when you assemble a number of men, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly," he asked, "can a perfect production be expected?"

AB: True insight, indeed.

JM: Yes. But not just into this Convention, but also into the nature of this government. To ratify this Constitution a majority of the people must understand that a republic is above all, a human enterprise, that it does represent all of the individual prejudices, passions, opinions, and selfish interests of the governed. But beyond this, they must also

come to understand that, having represented all this . . .

AB: ". . . all the sins flesh is heir to?"

JM: Exactly! That having represented all of these faults of human nature, that these sins must be resolved, to the public good. As Dr. Franklin said: "Much of the strength and efficiency of any government, in procuring and securing happiness of the people, depends on the general opinion of the goodness of that government, as well as of the wisdom and integrity of its governors." That is the key to the success of this ratification. But more importantly, it is the key as well to the success of this republic. Mark my words, dear lady; this republic will rise or fall on the people's opinion of the goodness of its government, and on their trust in the goodness of those they choose to lead them.

History Narration

Dialogue III, Scene 3

As the federalists Hamilton, Madison and Bingham leave, they meet the antifederalists Warren, Henry, and Martin. Their conversation reiterates each side's position and foreshadows the battle over ratification of the Constitution in the states, and the eventual addition of the Bill of Rights.

And now let's join Alexander Hamilton, James Madison, Anne Bingham, Mercy Otis Warren, Patrick Henry, and Luther Martin.

Scene 3

(As Federalist group starts to exit, confronts Antifederalist group just entering.)

JM: (Surprised) Well, Mr. Henry, what brings you to Philadelphia?

AB: Your absense at the convention has been much remarked upon.

PH: You flatter me, madam. I had no idea I would be so missed. Reports of your beauty, madam, do not do you justice. (Bows)

JM: Careful, her beauty conceals a fine intellect.

LM: And there are others here who are not what they seem.

AH: (Bristling) If you are referring to me, Sir . . .

PH: My friend speaks only politically.

AB: Drunkenly is more accurate still.

LM: I confess, madam, that Bacchus and I have an acquaintance of long standing. Neither one of us pays the other the slightest due.

AB: We are to consider you sober, then?

LM: Better than sober, madam. I am permanently intoxicated!

AB: And in what way is it better, Mr. Martin?

LM: Because a sober man, madam, at least knows he knows nothing. But an intoxicated man can know nothing at all! A much simpler state of being, you will agree. Thus I drink, madam, so as to become a better man.

AB: My friends say that you will oppose ratification, Mr.

Henry. Is that so?

JM: I warned you, Mr. Henry.

PH: You ask, madam, and I will answer: I shall! I plan to oppose Virginia's ratification of this Constitution.

AH: On what grounds, sir?

PH: For one, sir, we in the South are quite suspicious of you and your northern colleagues. We believe you are supporting this Constitution in order to gain financial control of the South.

AH: That's preposterous! Why, didn't we support your demands to be allowed to continue to import slaves!

PH: Yes, but only for twenty years. However, slavery is not the source of my greatest concern. Personally, I am not in sympathy with this peculiar institution.

AH: Then why do you perpetuate it?

MW: Because it is in his self-interest to own slaves!

PH: Yes. I am drawn along by the general inconvienence of living without them. Slavery is an abomination, sir, but it is also . . .

LM: . . . comfortable.

PH: Comfortable. Yes. Be that as it may, I am much more concerned about the North's apparent willingness to abandon to Spain all rights to navigate the Mississippi. Such an agreement would strangle the very lifeblood of this nation! But then you know of my objection, don't you?

AH: It came to me in a dream, as it were.

JM: Come, come, Mr. Henry. Stop this dancing about. These

matters you speak of are quibbles. In themselves they do not constitute sufficient grounds to oppose ratification of this Constitution.

PH: The sovereignty of the states is hardly a quibble, Mr. Madison. Furthermore, I challenge the authority by which this document usurps the perogatives of the states and confuses the concept of confederation, read the Preamble.

JM: The Preamble to the Constitution? I don't follow you, Mr. Henry.

PH: "We, the people," . . . the very first words. What right has a national government to say, "We, the people"? The people are represented in the state, the state is represented in the union.

JM: There is no confusion, Mr. Henry. Read the rest of the Preamble. The government at any level proceeds directly from the people; it is "ordained and established" in the name of the people; and it is declared by them to be ordained. (Reads) ". . . in order to form a more perfect union, establish justice, insure domestic tranquility, and secure the blessings of liberty to themselves and their posterity." The assent of the states, is implied in calling a Convention, and thus in submitting that instrument to the people. In form and in substance it emanates from them, its powers are granted by them, and are to be exercised directly on them, and for their benefit.

PH: Exercised on them, indeed. In reality, government is exercised not upon what you call "the people," but upon

individual citizens. I am not persuaded that the government which this Constitution would enact can be guaranteed to exercise its powers for the benefit of the individual citizen. It has been observed that all men would be tyrants, is that not so, Mrs. Warren.?

MW: Indeed, Mr. Henry.

PH: You trust too much in government, sir, and not enough in liberty!

JM: And you, Mr. Martin. Do you, as well, plan to oppose ratification on these grounds?

LM: Similar grounds, sir. Very similar.

JM: Both of you gentlemen are familiar, I believe, with the suggestion that the Constitution be amended by a set of propositions which would guarantee individual liberties--the so-called Bill of Rights. It protects the free exercize of religion, speech and assembly; provides against unreasonable search and siezure; and guarantees due process of law, and a speedy and public trial by a jury. The Bill also protects the rights of the states from the federal government assuming any rights not specifically delegated to it by the Constitution. Were it enacted, Mr. Henry, would that affect your opinion of the Constitution itself?

PH: I and the state of Virginia will continue to oppose this constitution until the last vote is counted. However, if we are defeated, a bill of rights might, indeed, allow for reconciliation.

LM: Then in the spirit of reconciliation let us adjourn to

a tavern and discuss the matter. Gentlemen. Excuse us, ladies.

(Men exit)

Dialogue III, Scene 4

Mercy Otis Warren, the intellectual patriot and antifederalist, and Anne Bingham, the wife of a federalist banker and merchant, can agree on one thing: that women had no formal voice in politics. But Mrs. Warren alludes to others who were also left out of the new republic.

Let's join Mrs. Warren and Mrs. Bingham.

Scene 4

(The two women are left alone on stage.)

AB: There they go to save the world; her I stand waiting for my husband!

MW: They also serve who stand and wait, madam. I'll wait with you.

AB: Thank you, Mrs. Warren. Men always complain about having to wait on us women. But if I had a penny for every minute I have spent waiting for that man . . .

MW: Not to mention children . . .

AB: . . . tradesmen, servants . . .

MW: Other women!

AB: (Laughs) Yes! Them too!

MW: Waiting seems to be one of the things we women do best.

AB: You're right. It is our fate! And yet, I can't say I'm getting any better at it, can you? Indeed, I think I grow more impatient as the years go by. And not just with poor Mr. Bingham. I think I've become more impatient with things in general.

MW: I understand completely. I too feel a growing impatience with things. This business of the Constitution, for example. Politics is much out of the road of most women, and I do grow impatient with the assumption most men make that I have no stake in this matter of politics. With all this talk of liberty and the inalienable rights of man, it is rather frustrating to realize that none of these rights extend to me. I too yearn for liberty, for freedom

and happiness. I too seek after them, as much as any man. I too fought for them, risked my freedom in their name. My dear friend Abigail Adams once wrote me: "We women of the Revolution possess a spirit that will not be conquered. If our men are all drawn off and we should be attacked, you would find a race of Amazons in America!" (Both women smile.) You tell me, Mrs. Bingham, if a woman responds to these rights in the same way as does a man, then are they not her rights, too?

AB: Most assuredly, madam!

MW: This conversation brings to mind my dear brother and soul mate James Otis. (Smiles)

AB: Was it not he who issued that great battle cry of the Revolution, "taxation without representation is tyranny!"

MW: The same, madam, I am proud to say. He also said, "Are not women born as free as men?" On this as on all other matters, our minds were as one. Are we women somehow slapped into chains the moment we leave our mother's wombs? I think not! I have always considered human nature as the same in both sexes.

AB: I quite agree, madam. Indeed, in some countries, women already have achieved the rank to which the sex is entitled. We can only hope such a happy condition will someday come to pass in this one. Until then. . .

MW: We wait.

AB: Yes. We wait.

MW: I can't help but think, in this connection, of the

others besides our sex who wait.

AB: Whom do you mean?

MW: Well, Negroes, Indians, indentured servants, small farmers, Daniel Shays, waiting somewhere in the wilderness of the Maine woods.

AB: Lurking is more like it. That wolf! He would gobble up the lambs of liberty, given half a chance!

MW: I, too, disagree with his methods, but I find myself in sympathy with his motives.

AB: I know nothing of his motives, madam. But his methods broke the peace and threatened the Union.

MW: All the same, he is a patriot. He is a veteran of our War for Independence, as are many of the farmers who joined him in protest. In a way, their battle cry now is the same as the early patriots: "Taxation without representation is tyranny!"

AB: But they had representation, madam! It was a duely elected legislature which voted the taxes they chose illegally to protest.

MW: Yes, but a legislature elected by whom? Representation by whom? Not by these men, madam. These men were too poor--too poor to own land, to vote, or run for office. Nonetheless, they were not too poor to supply the taxes!

AB: But those taxes were to pay the debt from the war that provided them the liberty to protest in the first place. By their actions they proved their incompetence, and the wisdom of restricting them from office.

MW: I do agree that the union must be preserved at all costs. But I still have sympathy for these men and their cause all the same. They, too, are tired of waiting, and grow more impatient with the years. And I cannot help but observe that there are none of their kind among the membership of this secret Convention.

AB: Would you have Daniel Shays himself here? A rebel? An outlaw? I should hope, madam, that we wait 'til hell freezes over before the likes of him are admitted to the governance of this nation!

MW: Perhaps so. But it has also been my experience that waiting is a temporary condition. More often than not, that for which we wait finally comes our way. As illustration, madam, here is your husband.

(Exit; lights.)

Dialogue III, Epilogue

And now we hear from Captain Daniel Shays, one of the farmers whose frustration with the formal political process led him to armed rebellion a few months before the Philadelphia Convention began. It was the spirit of Shays--and the spector of anarchy--that helped convince the framers of the Constitution to agree on a new system of government.

So, finally, let's join Captain Shays.

EPILOGUE by Daniel Shays

Speak of the Devil, and here I am. Daniel Shays, the ghost who has haunted this Convention, here now in the flesh, so to speak. Rebel, patriot, outlaw, martyr, rabble, spokesman for the common man . . . you've heard me called all of these things. Which one am I? Take your pick; I am all of them, I am none of them.

Personally, I don't trust book learning--or folks what go in for it. Certainly I don't trust them to tell you about me myself! Let me tell you the facts first. I am a farmer. Have been all my life. Born in a little town called Hopkinton, in western Massachusetts, in 1747. Grew up on a farm. Married Abigail Gilbert when I was twenty-five. We made our home on a farm near Brookfield, started a family there. In the spring of 1775, I was one of the Minute Men, fought the Bloody Brits at Lexington. Later I joined a regiment and fought the redcoats again at Bunker Hill. Cited for gallantry, promoted to ensign, later made captain. Very popular I was with the boys, because they knew I was one of them, not one of them gentlemen officers looked down their noses at their men.

The war laid everybody low--all but those rich bluebloods in Boston what got us into the war in the first place! The War had been hard on the poor; but it was a blessing to the rich! And when it was over the rich saw to it that they were the ones what ran the show, so when the Commonwealth ran into debt, rather than dig into their own fat pockets,

them Bluebloods settled more and more taxes on us poor farmers. They wouldn't even accepted the paper dollars that they had paid us with during the war! We didn't have food enough to fill our children's bellies. The final straw came when they started hauling good citizens off to jail; and selling their property to pay off their taxes. Can you imagine it? Selling the farms of veterans so as to settle the state's war debt! It was just too much. I lost my own farm because I could not pay a debt of $12 hard cash!

So me and the boys took down our old muskets, put on our old tri-corner hats, and went out to answer the call once more. The way we saw it, we were fighting for the same cause what rosed us up against the Brits: heavy taxes; taking people's lands to pay their debts; putting them in jail. TAXATION WITHOUT REPRESENTATION IS TYRANNY!

There really wasn't much to the fighting. Hardly more than a skirmish. The state militia routed us--chased us all over the state. We scattered everywhere. For almost a year I was a wanted man with a price on my head, found guilty of treason against my own country. But though we lost the battle, we won the war. The great aristocrats, them Bluebloods got scared. And that fear drove them to Convention in Philadelphia.

So there you have it, the whole truth and nothing but the truth. That's who I am. But there's still another question left: who am I to you, to all of you here tonight. Just an obscure name in a history book? Oh, no, I am much more.

For I am you, as much as Alexander Hamilton, Patrick Henry, Mercy Otis Warren, Anne Bingham, Luther Martin, James Madison. (All characters file out on stage). They are the "heros" of history--but so am I--and so are you. Like your fathers and mothers, your grandfathers and grandmothers before you, I cleared the land, built a house, raised a family, shaped a government, and settled a nation. Since that time in Philadelphia, "we the people" came to mean first aristocrats, and then the "common man," and then the Negro, the Native American, and finally even you ladies. And as "we the people" includes more and more folks, more and more folks become bound to this country, and to the rights and government described in the Constitution. This is true even though the original framers of the Constitution had no intention of extending these rights or government beyond their small circle of wealthy and powerful free men. That "we the people: have continued to evolve and expand for two hundred years is one of the secrets to the prosperity of this great republic--as well as one of its great mysteries. God has indeed blessed this nation--may it ever be so.

(Lights; curtain)

Final Summary

The federalists, antifederalists, and Captain Shays have summarized the issues surrounding the drafting and ratification of the federal Constitution. Although not a perfect document, the Constitution did provide for the separation of powers between three branches of government, a central authority for regulating commerce, and an amendment process. Today we operate under the same plan, with twenty-six amendments.

We have called our historical dramatization "Contesting the Constitution." But it should be clear that the Constitution can always be contested. That is its beauty and strength. For while it stands as a basic statement of principles, it is a living document that can grow and change to reflect our nation's size and diversity.

And now I would like to invite you to participate in a question and answer session with Patrick Henry, Mercy Otis Warren, Luther Martin, Alexander Hamilton, James Madison, and Anne Bingham.

And afterwards we'll give you a chance to question the scholar-actors.